

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

FRANCISCO MORFIN

APPELLANT,

**v.
ANGEL WERDEHAUSEN AND
FAMILY SUPPORT DIVISION**

RESPONDENTS.

DOCKET NUMBER WD77242

DATE: November 12, 2014

Appeal From:

Cole County Circuit Court
The Honorable Jon E. Beetem, Judge

Appellate Judges:

Division Three: Karen King Mitchell, Presiding Judge, Cynthia L. Martin, Judge and Gary D. Witt, Judge

Attorneys:

Mary Jane Browning, Jefferson City, MO, for appellant.

John R. Suermann, Jr., Kansas City, MO, for respondents.

MISSOURI APPELLATE COURT OPINION SUMMARY

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FRANCISCO MORFIN,

APPELLANT,

v.

**ANGEL WERDEHAUSEN AND
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No. WD77242

Cole County

Before Division Three: Karen King Mitchell, Presiding Judge, Cynthia L. Martin, Judge and Gary D. Witt, Judge

Francisco Morfin appeals a Decision and Order from the Family Support Division of the Missouri Department of Social Services in which Father received an abatement of child support in an amount that was less than he requested. Father argues that he is entitled to another administrative hearing because the interpreter used at the administrative hearing did not disclose his credentials, was not sworn in, and was inconsistently used. Father also argues that he is entitled to the full abatement he requested because the Order is not supported by substantial evidence.

Affirmed.

Division Three holds:

(1) Father has not preserved his first point of error for appellate review. His point relied on fails to identify the administrative ruling or action challenged or how the administrative hearing officer erred with regard to use of an interpreter at the hearing. Father did not object to the allegedly improper use of the interpreter at the administrative hearing and did not raise a claim of error relating to use of the interpreter in his petition for judicial review. Even if Father's point had been properly preserved, it would fail because Father did not demonstrate that he was prejudiced by the use of the interpreter at the administrative hearing.

(2) FSD's decision not to award Father the full abatement of the child support he owed was supported by substantial evidence.

(3) Father has not preserved a claim of error first raised in the argument portion of his brief that rehearing is necessary to permit Father to fully inquire about why a portion of Father's total child support due was reclassified from non-collectible to collectible during the administrative hearing.

Opinion by Cynthia L. Martin, Judge

November 12, 2014

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